

BEFORE THE HEARING EXAMINER
CITY OF SEATTLE

1
2
3 In the Matter of the Appeals) Hearing Examiner File:
4 of:)
5 **SEATTLE FOR GROWTH AND SEATTLE**) **W-18-012 & W-18-013**
6 **MOBILITY COALITION,**)
7 Appellants.) **DECLARATION OF ROGER VALDEZ IN**
8 Of the adequacy of the) **RESPONSE TO CITY'S MOTION TO**
9 Determination of Non-) **DISMISS**
10 Significance (DNS) issued by
11 the Seattle City Council for
12 Comprehensive Plan amendments
13 to allow Transportation Impact
14 Fees.

15 Roger Valdez declares as follows:

- 16 1. I am the Director of Seattle for Growth and a resident of the City of Seattle. I am
17 over the age of 18 and have personal knowledge of the following facts about
18 which I am competent to testify.
- 19 2. On January 21, 2019 I received the following from a developer after asking for
20 how existing fees and possible impact fees would impact his projects. I asked,
21 "Can you possibly help me with a declaration explaining how impact fees, if
22 imposed on any of your projects, would affect them financially?" He answered, in
23 part, "I'm trying to get my building permit so don't want to mess that up."
24 However, he offered the following comments with the promise of anonymity to
25 underscore the point that with Mandatory Housing Affordability (MHA) already
26 being considered, the promise of an impact fee is discouraging development.

27 My . . . apartment project . . . got imposed the MHA fee because it went through a
28 contract rezone (before we could get vested) and was subject to the Director's
Rule that all rezones meet MHA. The MHA requirement (either fee or
performance) has changed five times since we started this process. I think the fee
is now \$20.75/SF so for our 100k SF project; it is approximately a \$2 million

1 fee! That wiped away much-needed equity to get a loan to build this project. I
2 won't do another project in the Rainier Valley, as it isn't worth it.

3 3. On November 29th, I spoke with a townhouse builder who expressed frustration
4 with the current backlog in permit review and the possibility of MHA fees. He
5 told me that he has already had to reduce the price on his townhouses because
6 prices have fallen. He said that if he moves forward that he would be "building for
7 free," something he cannot afford to do, and that he would start looking for land
8 to build in other cities if impact fees pass.

9 4. **MUP to be published by February 1, 2019*****
10 7001 Roosevelt Way NE is a shovel ready apartment development, fully vested
11 under the existing code.
12 **This will save a developer over \$400,000 in MHA fees.**

13 I hereby certify and declare under penalty of perjury under the laws of the State of
14 Washington that the foregoing is true and correct to the best of my knowledge.

15 EXECUTED at Seattle, Washington this 28th day of January, 2019.

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S/ Roger Valdez

Roger Valdez, Director
Seattle For Growth

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Exhibit A

1. A recent Colliers advertisement emailed to possible buyers of a project in the Roosevelt neighborhood stated **MUP to be published by February 1, 2019***** 7001 Roosevelt Way NE is a shovel ready apartment development, fully vested under the existing code.
This will save a developer over \$400,000 in MHA fees.

January 22, 2019

The advertisement features a header with the text "PROPERTY SHOWCASE" in white on a blue background, followed by the "Colliers INTERNATIONAL" logo and the name "McKAY CHHAN WAYNE" in a grey box. Below the header is a horizontal line with the text "FEATURED DEAL of the WEEK" in the center. The main body of the ad contains the text: "***MUP to be published by February 1, 2019***", "7001 Roosevelt Way NE is a shovel ready apartment development, fully vested under the existing code.", and "This will save a developer over \$400,000 in MHA fees." in bold black font.